

Jay G. Foy, Mayor
James Woods, Vice Mayor
Jerry E. Beavers, Council Member
Lawrence Gordon, Council Member
Mark C. Uptegraph, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ May 23, 2013
7:00 p.m.

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for the May 9, 2013 Regular Meeting**
- VI. PROCLAMATIONS AND PRESENTATION**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
- X. FIRST READINGS AND REGULAR AGENDA**
 - a. Update on Black Dot Wireless**
- XI. REPORTS**
 - Town Attorney**
 - Mayor**
 - Town Administrator**
 - Committee/Delegate Report**
 - Treasurer's Report (included in packet)**
- XII. UNFINISHED BUSINESS**
- XIII. NEW BUSINESS**
- XIV. ADJOURNMENT**

Notice: If any person decides to appeal any decision of the Town Council at this meeting, he/she will need a record of the proceedings and for this purpose; he/she needs to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105. The Town of Haverhill does not prepare nor provide such verbatim record.

In accordance with the provisions of the American with disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting Janice C. Rutan, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

**TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ May 23, 2013
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, May 23, 2013 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; James Woods, Vice Mayor; Jerry Beavers, Council Member and Mark C. Uptegraph, Council Member. Also present were Town Attorney Lance Fuchs and Deputy Town Clerk Jessica Green. Town Administrator, Janice C. Rutan and Council Member Lawrence Gordon were absent.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation and led the Pledge of Allegiance.

ROLL CALL

The Deputy Town Clerk recorded all members present with the exception of Council Member Gordon.

APPROVAL OF AGENDA

With no additions, deletions and/or substitutions, the agenda stood as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes for the May 9, 2013 Regular Meeting

Deputy Clerk Green stated that the minutes were not ready and would need to be tabled to the next meeting.

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PUBLIC

None

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Officer Strickland stated there were two burglaries in Town. One was to a residence in Parkview Place and the other burglary was to a vehicle. There was also a suspicious incident at 4811 Dorchester Mews. The house was vacated and there had been a problem with people coming and going from the property. He stated that they were keeping an eye on the property and a neighborhood kid who been seen coming and going from the house.

Public Services Director Roche stated that the call came from him regarding the incidents at the Dorchester Mews property and they have since tied the criminal activities to the element that was living on New Orleans Court. The incidents in the Briarwood neighborhood have since calmed down.

Mayor Foy asked if the thefts were break-ins.

Office Strickland stated that the vehicle window was smashed and a window in the home was smashed as well.

SECOND READINGS AND PUBLIC HEARINGS

None

FIRST READINGS AND REGULAR AGENDA

Update on Black Dot Wireless

Deputy Clerk Green stated that the Town received a revised proposal from Black Dot Wireless and an easement agreement/lease purchase that the Attorney was in the process of reviewing.

Attorney Fuchs stated that Attorney Foster was reviewing the agreement and would report to Council at the next meeting.

Mayor Foy stated that the new proposal did not show a significant enough increase and that he was not impressed. He also stated that none of the referrals provided were from within the state of Florida. All of them were from out of state and were not encouraging.

Consider Release of Lien for 4605 Grove Street

Public Services Director Roche gave a brief history of the issues at 4605 Grove Street and explained why a lien was placed on the property. He stated that the property had been sold to the current owner while a lien was on it. He stated that the original homeowner was requesting an abatement or reduction of the lien so that they could obtain a Satisfaction of Lien. He stated that staff recommended a payment of \$2500 in order to satisfy the lien. The lien amount was currently \$10,050.

Attorney Fuchs stated that it was Council's decision as to whether or not they wanted to reduce the lien.

Mayor Foy expressed his opinion and stated that there was another case in which the lien amount was \$10,000 and the Council reduced it to \$1000 which made the Town whole and in this current case if the Town accepts the \$2500 the Town would recover its costs and receive an additional \$1000 plus in recovery costs.

Vice-Mayor Woods asked if the original owner was asking for a Satisfaction of Lien.

Public Works Director Roche stated yes. He stated that the original homeowner was trying to purchase another property and the lien kept coming up against her.

Vice-Mayor Woods asked if the payment of the lien would come from the original homeowner not the current homeowner.

Public Works Director Roche stated that the lien payment would come from the original homeowner.

Vice-Mayor Woods asked if the lien totaled \$9000.

Public Services Director Roche stated that the total lien was approximately \$10,000.

Vice-Mayor Woods asked Attorney Fuchs how the property was sold with a lien on it.

Attorney Fuchs stated that it was probably a private party transaction.

Vice-Mayor Woods stated that the owner ignored the lien and notices for 6 months. He stated that the lien should stand as is.

A motion was made by Council Member Beavers to reduce the lien on 4605 Grove Street from \$10,050 to \$2,500.

Mayor Foy passed the gavel to Vice-Mayor Woods.

Mayor Foy seconded the motion.

Vice-Mayor Woods and Council Member Uptegraph voted against the motion.

The motion failed 2 to 2.

REPORTS

Town Attorney

None

Mayor

He stated that Mr. Stalf had a lengthy conversation with Administrator Rutan regarding his property on Trailway Lane. Mr. Stalf believes he can put 60 units on his property.

He stated that Verbo Church informed the Town that they were going to apply and use a site plan that was similar to the one presented at the Council Workshop and have a detention area with parking and possibly purchasing the 1 acre piece of land to the south of them on Luwal to possibly expand their site plan.

He stated that Planner Barry had prepared the Sexual Predator map for the Town. The map shows 2500 feet and 1000 feet from parks, daycares, and bus stops and that there was no place in the Town that a predator could legal live.

Mayor Foy gave an update on the Inspector General meeting he attended. He stated that the general attitude was that the Inspector General can't help you up front but there was a website that could guide you, but they would look at what you did after the fact. He stated that the positive was the Richard Radcliffe suggested that there could be education on ethics offered at the Palm Beach Community College.

He stated that Town Administrator Rutan had informed him that she has spoken with Pamela Ramwalkan of TD Bank who informed her that the Town had to transfer at least \$100,000 back into the Town's corporate account in order to continue to utilize the Town's corporate credit cards. He stated that Town Administrator Rutan had concerns about opening new corporate credit cards with another bank since it was her Social Security number that is used to secure the cards.

Attorney Fuchs stated that the decision to transfer money back to TD Bank would be an administrative decision and up to the Town Administrator.

Consultants

None

Town Administrator

Absent

Committee/Delegate Report

Council Member Beavers gave an update on the gala he attended. He stated that the City of Lake Worth had cases of water present at the gala to celebrate their 100 year anniversary.

Deputy Clerk

Deputy Town Clerk Green explained that the Town has received a letter requesting that the Town adopt a Proclamation for "Civility Month".

No motion was made to adopt a proclamation for "Civility Month".

Treasurer's Report (included in packet)

UNFINISHED BUSINESS

None

NEW BUSINESS

Council Member Beavers suggested that the Town could offer "Wi-Fi" to residents as a free service or for a minimal charge that would be add to the ad-valorem taxes. The "Wi-Fi" could be added to one of the Town's cell towers.

Discussion ensued amongst the Council members regarding the possibility of offering "Wi-Fi" to the Town's residents.

Attorney Fuchs stated that there may be some legal issues to tackle if the Town considered providing "Wi-Fi".


ADJOURNMENT

With no further business to come before the Town Hall, the meeting adjourned at 7:25 p.m.

Approved: June 13, 2013



Jessica Green, Deputy Town Clerk



Jay G. Foy, Mayor